

MANATT, PHELPS & PHILLIPS, LLP
RONALD S. KATZ (California Bar No. 085713)
E-mail: rkatz@manatt.com
RYAN S. HILBERT (California Bar No. 210549)
E-mail: rhilbert@manatt.com
1001 Page Mill Road, Building 2
Palo Alto, CA 94304-1006
Telephone: (650) 812-1300
Facsimile: (650) 213-0260

Attorneys for Defendant and Counter-Claimant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

VISA U.S.A. INC.

Plaintiff

vs.

MARITZ INC. d/b/a MARITZ LOYALTY
MARKETING,

Defendant.

AND RELATED COUNTERCLAIMS

CIVIL ACTION NO. C07-5585 JSW

DECLARATION OF RONALD S. KATZ IN
SUPPORT OF MISCELLANEOUS
ADMINISTRATIVE REQUEST BY MARITZ,
INC. FOR AN ORDER RE-SCHEDULING
HEARING DATE

I, Ronald S. Katz, declare as follows:

1. I am a Partner with Manatt, Phelps & Phillips, LLP, attorneys of record for Defendant Maritz Inc. ("Maritz"), in the above-captioned matter. The facts below are true and correct and within my own personal knowledge. If called on to testify to them, I could and would competently do so.

2. Attached hereto as Exhibit A is a true and correct copy of the Court's January 18, 2008 Order in which it (among other things) continued the hearing on the parties' respective motions from February 22, 2008 until February 29, 2008.

3. I have been planning my vacation to Jackson, Wyoming for two years. Attached hereto as Exhibit B is my flight itinerary for this trip.

4. I did not expect the Court to re-schedule the hearing on the parties' respective motions to February 29, 2008 because neither party was requesting a date different from the set date of February 22. Had I expected the change, I would have apprised the Court of this pre-planned, pre-paid vacation.

5. Attached hereto as Exhibit C is a true and correct copy of an e-mail string between me and Roderick Thompson, lead counsel for Visa, related to this matter.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on January 24, 2008.

/s/ Ronald S. Katz

Ronald S. Katz